United Nations S/2009/645

Security Council

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The Security Council,

Taking note of the letters to the President of the Council from the Secretary-General dated 2 November 2009 (S/2009/571) and 23 November 2009 (S/2009/601), attaching letters from the President of the International Criminal Tribunal for Rwanda ("the International Tribunal") dated 15 October 2009 and 6 November 2009, respectively,

Recalling its resolutions 955 (1994) of 8 November 1994, 1165 (1998) of 30 April 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002, 1717 (2006) of 13 October 2006, 1824 (2008) of 18 July 2008, 1855 (2008) of 19 December 2008, and 1878 (2009) of 7 July 2009,

Recalling in particular its resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004, in which the Security Council calls on the International Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008, and to complete all work in 2010,

Taking note of the assessment by the International Tribunal in its Completion Strategy Report (S/2009/587) that the Tribunal will not be in a position to complete all its work in 2010,

Recalling that in resolution 1878 (2009) the Security Council extended the term of office of permanent judges and ad litem judges, who are members of the Trial Chambers, until 31 December 2010, or until the completion of the cases to which they are assigned, if sooner; and decided to review the extension of the term of office of the permanent judges at the International Tribunal, who are members of the Appeals Chamber, by 31 December 2009, in light of the progress of the International Tribunal in the implementation of its Completion Strategy,

Convinced of the advisability of extending the authorization granted to the Secretary-General in resolution 1855 (2008) to appoint additional ad litem judges to the nine ad litem judges authorized by the Statute of the International Tribunal, as a temporary measure to enable the International Tribunal to complete trials and conduct additional trials as soon as possible in order to meet the goals of the Completion Strategy,

Urging the International Tribunal to take all possible measures to complete its work expeditiously,

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Acting under Chapter VII of the Charter of the United Nations,

1. *Underlines* its intention to extend, by 30 June 2010, the terms of office of all trial judges at the International Tribunal based on the Tribunal's projected trial schedule and the terms of office of all appeals judges until 31 December 2012, or until the completion of the cases to which they are assigned if sooner, *and requests* the President of the International Tribunal to submit to the Council an updated trial and appeals schedule, including information on the judges whose extension of the terms of office or redeployment to the Appeals Chamber will be sought;

2. *Decides* that in order for the International Tribunal to complete existing trials or conduct additional trials the total number of ad litem Judges serving at the International Tribunal may from time to time temporarily exceed the maximum of nine provided for in article 11, paragraph 1, of the Statute of the International Tribunal, to a maximum of twelve at any one time, returning to a maximum of nine by 31 December 2010;

3. *Decides* that, notwithstanding the expiry of his term of office on 31 December 2009, Judge Erik Møse complete the *Šešelj* case which he began before the expiry of his term of office; and *takes note* of the intention of the International Tribunal to complete the case before the end of February 2010;

4. *Decides* to remain seized of the matter.